

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE)	Chapter 7
)	
MICHAEL HELMSTETTER,)	Case No. 19 – 28687
)	
Debtor.)	Hon. Jacqueline P. Cox
)	U.S. Bankruptcy Judge

NOTICE OF MOTION

TO: Attached Service List

PLEASE TAKE NOTICE THAT on December 21, 2021, at 1:00 p.m., I shall appear before the Honorable Jacqueline Cox, or any other judge sitting in her stead and request a hearing on the **Chapter 7 Trustee's Motion To Enter Amended Order Approving Bid Procedures**, a copy of which is attached hereto and thereby served upon you.

This motion will be presented and heard electronically using Zoom for Government. No personal appearance in court is necessary or permitted. To appear and be heard on the motion, you must do the following:

To appear by video, use this link: <http://www.zoomgov.com/>. Then enter the meeting ID.

To appear by telephone, call (669) 254-5252 or (646) 828-7666. Appearing by telephone will require extra clearance before being allowed into the hearing.

Meeting ID and password. The meeting ID for this hearing is 161 273 2896 and the password is 778135. The meeting ID and password can also be found on the judge's page on the court's website.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, these motions will be called on the presentment date. If no Notice of Objection is timely filed, the Court may grant the motions in advance without a hearing.

CERTIFICATE OF SERVICE

I, the undersigned, an attorney, hereby state that pursuant to Section II, B, 4 of the Administrative Procedures for the Case Management/Electronic Case Filing System, I caused a copy of the foregoing NOTICE OF MOTION and MOTION to be served on all persons set forth on the attached Service List identified as Registrants through the Court's Electronic Notice for Registrants and, as to all other persons on the attached Service List by mailing a copy of same in an envelope properly addressed and with postage fully prepaid and by depositing same in the U.S. Mail, Chicago, Illinois, on 6th day of December, 2021.

/s/ Gregory K. Stern

Gregory K. Stern

Gregory K. Stern (Atty. ID #6183380)
Monica C. O'Brien (Atty. ID #6216626)
Dennis E. Quaid (Atty. ID #02267012)
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SERVICE LIST

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IN RE)	Chapter 7
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MICHAEL HELMSTETTER,)	Case No. 19 – 28687
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**TRUSTEE’S MOTION TO ENTER AMENDED ORDER
APPROVING BID PROCEDURES AND TO LIMIT NOTICE**

NOW COMES DAVID R. HERZOG, not individually, but solely in his capacity as Chapter 7 Trustee (the “**Trustee**”), by and through his attorneys, Gregory K. Stern, Monica C. O’Brien, Rachel S. Sandler and Dennis E. Quaid (“**Trustee’s Counsel**”) and pursuant to 11 U.S.C. §§105(a), 363 and 554 and Fed. R. Bankr. P. 2002, 6004, 9007, and 9014, requests that this Court enter an amended order approving bid procedures and to limit notice. In support of this Motion, the Trustee represents and states as follows:

1. This Court approved the Chapter 7 Trustee’s Bid Procedures for a proposed sale of certain designated causes of action pursuant to the Chapter 7 Trustee’s motion [Doc. 139] at a hearing held on November 16, 2021 [Doc. 166], with a draft order to come amending the bid procedures for the proposed sale of the estate’s causes of action against the Targeted Defendants.

2. Counsel for the Chapter 7 Trustee consulted with the counsel for several Targeted Defendants to resolve their objections and circulated several successive drafts of revised Bid Procedures, resulting in agreement of those counsel to the new Bid Procedures.

3. Though inadvertence an incorrect version of the Bid Procedures was attached to the order submitted to the Court and which was entered on November 23, 2021[Doc. 168].

4. The Chapter 7 Trustee requests that the Court enter the amended order approving the correct version of the Bid Procedures which approved by counsel for the Targeted Defendants in order to allow the proposed sale to commence according to the terms of the corrected Bid Procedures.

WHEREFORE, the Trustee respectfully requests that the court enter the Amended Order Approving Bid Procedures for Sale of Causes Action, Limiting Notice and Setting Hearing to Consider Approval of Sale and for such further relief as is appropriate.

By: /s/ Gregory K. Stern
Gregory K. Stern, Attorney for Trustee

Gregory K. Stern (Atty. ID #6183380)
Monica C. O'Brien (Atty. ID #6216626)
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